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E.O. 12958: DECL: 08/12/19
TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KDRG](#) [TI](#)
SUBJECT: WELFARE VISIT REQUEST TO IMPRISONED FORMER GUANTANAMO
DETAINEES

Classified by S/GC Deputy Anthony P. Ricci. Reasons 1.4 (b) & (d).

11. (U) This is an action message. Please see para 4.

12. (C) Since 2004, 12 Tajik detainees at the Guantanamo Bay Detention Facility have been returned to Tajikistan. Some were prosecuted by the Tajik government and imprisoned, while others were acquitted or served their prison sentences and were released. At present, one Tajik national remains in detention at Guantanamo Bay, Umar Abdulloyev (TI-257). We anticipate returning Abdulloyev to Tajikistan, based on the Tajik Government's adherence to transfer assurances outlined in a diplomatic note from Tajikistan to the U.S. dated December 6, 2006, detailing security measures and humane treatment assurances. Abdulloyev however, has obtained an injunction from a U.S. district court to prevent his return to Tajikistan, based on what he claims are humane treatment concerns. We intend to petition the court for removal of the injunction on the grounds that, on the basis of available information, the USG has concluded that Abdulloyev can be repatriated consistent with U.S. post-transfer humane treatment policies. The USG also has received no credible allegations to suggest that the Tajik government has treated any of the 12 detainees who have been repatriated to Tajikistan in a manner inconsistent with its human treatment assurances.

13. (U) The Tajik newspaper Dushanbe Paykon carried an article dated July 15, in which Abdulloyev expressed his fear of return to Tajikistan, claiming poor prison conditions and humane treatment concerns. Abdulloyev also claimed that the Tajik security services attempted to recruit him as an informant against extremist Islamist groups during an interview they conducted with him at Guantanamo. The article states that three former Guantanamo detainees are imprisoned. We are aware of only two former Guantanamo detainees currently serving sentences in Tajikistan.

14. (C) While Embassy officials did not observe signs of abuse during welfare visits to the Guantanamo detainees returned to Tajikistan, we would like to reconfirm that there are no humane treatment concerns related to the return of Guantanamo detainees to Tajikistan. Credible reports or allegations of physical abuse against the two detainees would rule out the return of Abdulloyev. Department therefore instructs Post to request access to the two former Guantanamo detainees currently in prison (Muqit Vohidov, Rukhiddin Sharopov) to ascertain their physical well-being and inquire about their conditions of confinement, as well as any other former Guantanamo detainees that are in prison. This visit request will test the procedure for timely welfare visits, as agreed by the Tajik government prior to the returns. Department also requests that Post seek the Tajik Government's continued assurances of proper treatment, as we have done with prior returned detainees. We appreciate Post's efforts to fulfill this request.

15. (C) Post may draw from the following points in its request for access:

(BEGIN POINTS)

--As you are well aware, the United States has repatriated to Tajikistan 12 Tajik nationals formerly detained in Guantanamo Bay, the latest being Juma Jan in October 2008.

--We appreciate the efforts made by your government to facilitate the

repatriation of the detainees from Guantanamo Bay. Such a transfer would not have been possible without the assurances provided by your government regarding security measures and humane treatment outlined in your diplomatic note of December 6, 2006.

--Of the 12 detainees who were returned, at least two remain in prison serving their sentences, and possibly a third detainee (according to media reporting).

--One Tajik national, Umar Abdulloyev remains in detention at Guantanamo. We may be in a position to repatriate him to Tajikistan upon conclusion of U.S. legal proceedings regarding his detention. We do not know at this time when such proceedings will conclude.

--As we work through our legal proceedings and in anticipation of possibly transferring Abdulloyev, we would like to visit the two former detainees Vohidov and Sharopov, per the arrangement that we have in place regarding access. Moreover, we would like to ascertain if any other former Guantanamo detainees are in detention and, if so, we would similarly like to arrange a visit with them.

--We appreciate your government's expedited response to this request and will work with you to facilitate the visit.

(END POINTS)
CLINTON